

REMARKS

In the Office Action¹, the Examiner rejected claims 1-30, 33, and 34 under 35 U.S.C. § 112, second paragraph; rejected claims 1-6, 8-10, 12-21, 23-25, 27-30, 33, and 34 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,970,127 B2 to Rakib ("*Rakib*") in view of U.S. Patent Application Publication No. 2003/0182567 A1 to Barton et al. ("*Barton*"), U.S. Patent No. 5,878,222 to Harrison et al. ("*Harrison*"), and U.S. Patent No. 7,085,814 B1 to Gandhi et al. ("*Gandhi*"); rejected claims 7 and 22 under 35 U.S.C. § 103(a) as being unpatentable over *Rakib* in view of *Barton*, *Harrison*, *Gandhi*, and Official Notice; rejected claims 11 and 26 under 35 U.S.C. § 103(a) as being unpatentable over *Rakib* in view of *Barton*, *Harrison*, *Gandhi*, and U.S. Patent No. 7,159,224 B2 to Sharma et al. ("*Sharma*").

By the present amendment Applicant cancels claims 28-30 and 34 without prejudice or disclaimer, and amends claims 1-7, 10-13, 16, and 33. Claims 1-27 and 33 are pending, and the rejections of claims 28-30 and 34 are rendered moot by their cancelation.

Applicant respectfully traverses the rejection of claims 1-27 and 33 under 35 U.S.C. § 112, second paragraph. In order to advance prosecution, however, Applicant amends claims 1-7, 10-13, 16, and 33 to overcome the rejection. Accordingly, claims 1-27 and 33 fulfill the requirements of 35 U.S.C. § 112 and Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 112 rejection of claims 1-27 and 33.

¹ The Office Action may contain statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Applicant respectfully traverses the rejection: of claims 1-6, 8-10, 12-21, 23-25, 27-30, 33, and 34 under 35 U.S.C. § 103(a) as being unpatentable over *Rakib, Barton, Harrison, and Gandhi*; of claims 7 and 22 under 35 U.S.C. § 103(a) as being unpatentable over *Rakib* in view of *Barton, Harrison, Gandhi, and Official Notice*; and of claims 11 and 26 under 35 U.S.C. § 103(a) as being unpatentable over *Rakib* in view of *Barton, Harrison, Gandhi, and Sharma*.

Independent claim 1 recites a content-providing server including, among other things, a "data transmitter/receiver . . . , the first channel being associated with a first Uniform Resource Locator (URL) and the first content being received by accessing the first URL, the second channel being associated with a second Uniform Resource Locator (URL) and the second content being received by accessing the second URL . . . , wherein the combined URL is used to switch between the first content and the second content by maintaining the connection and without setting a new URL to switch from the first content that is received over the first channel to the second content that is received over the second channel."

Pages 10 and 11 of the Office Action concede that *Rakib* in view of *Barton* does not teach wherein the provided channel list URL is used to switch between the first content and the second content by maintaining the connection and without setting a new URL to switch from the first content that is received over the first channel to the second content that is received over the second channel, and relies on *Harrison* to allegedly disclose the claimed switching. This, however, is not correct.

Harrison discloses:

At box 440, if the priority of the selected signal is higher than the currently displayed channel, the arbitrating unit 270

instructs the display window to take action on the selected television signal to preempt a currently displayed window of a lower priority. For example, if the display unit has three channels with a priority of one, two and four being displayed, and the notified channel has a priority of three, the channel with a priority of four will be pre-empted. The same preemption logic applies if multiple channels are being recorded. (Col. 6, lines 5-15).

Thus, in *Harrison* channels are pre-empted based on priorities assigned to the channels. Even if the channels of *Harrison* could constitute the claimed "first channel" and "second channel," which Applicant does not concede, *Harrison* still does not teach or suggest the claimed "switch[ing]." This is at least because there is no disclosure in *Harrison* of using a combined URL to "switch between the first content and the second content by maintaining the connection and without setting a new URL." Moreover, there is no disclosure in *Harrison* of "aggregating the first URL and the second URL to generate a combined URL that provides access to the unit of content," as further recited in claim 1.

Gandhi, Official Notice, and *Sharma* do not overcome the above-noted deficiency of *Harrison* and do not teach or suggest, a "data transmitter/receiver . . . , the first channel being associated with a first Uniform Resource Locator (URL) and the first content being received by accessing the first URL, the second channel being associated with a second Uniform Resource Locator (URL) and the second content being received by accessing the second URL . . . , wherein the combined URL is used to switch between the first content and the second content by maintaining the connection and without setting a new URL to switch from the first content that is received over the first channel to the second content that is received over the second channel," as recited in claim 1.

For at least the above reasons, the Office Action has not established a *prima facie* case of obviousness of claim 1. Thus, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn.

Independent claims 13, 16, and 33 while of different scope than claim 1, recite features similar to those of claim 1 and are thus allowable over *Rakib, Barton, Harrison, Gandhi*, Official Notice, and *Sharma* for at least reasons similar to those discussed above in regard to claim 1. The remaining claims, rejected as being obvious in view of combinations of *Rakib, Barton, Harrison, Gandhi*, Official Notice, and *Sharma*, are also allowable at least due to their dependence from one of the independent claims.

Reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested and deemed appropriate.

In view of the foregoing, Applicant respectfully requests reconsideration of this application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: October 18, 2011

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